

Town Board Minutes

February 22, 2010

Meeting No. 6

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 22nd day of February 2010 at 8:00 P.M. and there were

PRESENT: JOHN ABRAHAM , COUNCIL MEMBER
MARK AQUINO, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
JOHN DUDZIAK, TOWN ATTORNEY
GEORGE PEASE, ASSISTANT CODE ENFORCEMENT OFFICER
GARY STOLDT, CHIEF OF POLICE
DAVID MARRANO, ASSESSOR
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES
LOUIS CACCIOTTI, DEPUTY HIGHWAY SUPERINTENDENT

EXECUTIVE SESSION:

AT 8:32 P.M., UPON A MOTION DULY MADE BY COUNCIL MEMBER STEMPIAK, SECONDED BY COUNCIL MEMBER ABRAHAM AND CARRIED, the Town Board entered into Executive Session to deliberate on the announced purpose of discussing a matter of litigation.

At 8:45 P.M., the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board in Executive Session.

PERSONS ADDRESSING TOWN BOARD:

Beutler, Daniel, spoke to the Town Board on the following matters:

- Residential Building Permits.
- Architectural design of the Public Safety Building.

Fronczak, Mike, spoke to the Town Board on the following matters:

- Creation of additional Court Bailiff position.
- Amended Schedule of Salaries for Police Officers.
- Various Matters related to reconstruction of Town Hall.

Howell, Gary, spoke to the Town Board on the following matter:

- Hazardous Waste Disposal.

McCarthy, Lynn, Northwood Homeowners Association, spoke to the Town Board on the following matter:

- Proposed Apartment Complex North of William Street on Transit Road.

Moe, Edwin, spoke to the Town Board on the following matter:

- Proposed project on Transit Road near Moe's Auto Glass.

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

RESOLVED, that the minutes of the Regular Meeting of the Town Board held
February 1, 2010 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on
roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 22, 2010

File: RMIN (P1)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA , WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the General Crew Chief of the Parks, Recreation, and Forestry Department of the Town of Lancaster, by letter dated February 2, 2010, has requested the appointment of one (1) additional lifeguard, part time for the fall/winter 2009-10 season in the Parks, Recreation and Forestry Department.

NOW, THEREFORE, BE IT

RESOLVED, that the following individual be and is hereby appointed to the position of lifeguard, part time for the fall/winter 2009-10 season in the Parks, Recreation and Forestry Department of the Town of Lancaster effective February 23, 2010, with no benefits, at the following hourly rate:

NAME	RATE
Matthew Speyer (rehire) Depew, NY 14043	\$9.00/hour

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 22, 2010

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has duly advertised for bids for furnishing to the Town of Lancaster the necessary trees for the 2010 Tree Planting Program in accordance with specifications on file with the Town Clerk of the Town of Lancaster, and

WHEREAS, said bids were duly opened on February 5, 2010, and

WHEREAS, **SCHICHTEL’S NURSERY, INC.**, 7420 Peters Road, Springville, New York 14141 has submitted the lowest responsible bid in the amount of \$13,908 for furnishing said trees to the Town of Lancaster, and

WHEREAS, the General Crew Chief, by letter dated February 5, 2010 requests the Town Board to accept the bid of Schichtel’s Nursery, Inc., and

WHEREAS, by same letter, the General Crew Chief has requested that he be authorized to purchase additional trees at the 2010 bid prices from Schichtel’s Nursery, Inc. at his discretion for whatever other tree plantings the Town may incur in 2010.

NOW, THEREFORE, BE IT

RESOLVED, that the bid of **SCHICHTEL’S NURSERY, INC.**, 7420 Peters Road, Springville, New York 14141, being the lowest responsible bid in conformance with the specifications relating thereto, be and hereby is accepted, and

BE IT FURTHER

RESOLVED, that the General Crew Chief be and is hereby authorized to place orders with Schichtel’s Nursery for those trees which the Town of Lancaster needs for its 2010 Tree Planting Program, and

BE IT FURTHER

RESOLVED, that the General Crew Chief be and is hereby authorized to purchase additional trees at the 2010 bid prices from Schichtel’s Nursery at his discretion for whatever other tree plantings the Town may incur in 2010.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 22, 2010

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA , WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AQUINO, TO WIT:

WHEREAS, Justices J. Michael Kelleher and Mark A. Montour, of the Justice Department of the Town of Lancaster have requested the creation of one (1) additional position of Court Officer/Bailiff, part time in the Town of Lancaster.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to complete and submit Form PO-17 (New Position Duties Statement) to create one additional (1) position of Court Officer/Bailiff, part time in the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 22, 2010

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, the Lancaster Town Board acknowledges its responsibility to keep our communities safe, clean, and healthy, and

WHEREAS, household generated hazardous waste is a dangerous and problematic waste stream which increases risk from fire and poisonings if improperly stored, and

WHEREAS, improper disposal of household hazardous waste can pollute our environment, pose a risk to sanitation workers, and impact wildlife, and

WHEREAS, the safe recycling and/or disposal of household generated hazardous waste is a priority for County residents and their elected officials, and

WHEREAS, the New York State Department of Environmental Conservation is authorized by section 54-0705 of the Environmental Conservation Law, and the 6NYCRR Subpart 373-4 Regulations, to enter into contracts on behalf of the State to provide grants to reimburse 50% of expenses to municipalities for Household Hazardous Waste Programs, and

WHEREAS, the Town of Lancaster has, through the Northeast Southtowns Solid Waste Management Board (N.E.S.T.), worked with the Erie County Department of Environment and Planning to host an annual collection event to reduce risks, protect the environment and insure proper disposal of household hazardous waste materials, and

WHEREAS, N.E.S.T. has paid the disposal costs for a household hazardous waste collection in 2009, and

WHEREAS, N.E.S.T. has not received a State reimbursement contract from the application submitted for 2009 program expenses, and

WHEREAS, N.E.S.T. has not been reimbursed for 50% of the costs generated by the collection event held on May 9, 2009, and

WHEREAS, there is great concern about the sustainability of the Household Hazardous Waste Collection Program and its ability to continue to offer this important service to residents of Erie County without the fiscal assistance from New York State.

NOW, THEREFORE, BE IT

RESOLVED, that the Lancaster Town Board does hereby urge New York State Governor David Paterson to release funds necessary to fulfill reimbursement expectations of municipalities which, in good faith, provided Household Hazardous Waste Collection opportunities to residents in 2009, and

BE IT FURTHER

RESOLVED, that New York State Governor David Paterson is also encouraged to continue support and fund this important reimbursement program in 2010 and beyond to protect our residents and our environment, and

BE IT FURTHER

RESOLVED, that the Clerk of the Lancaster Town Board shall forward copies of this resolution to Governor David Paterson, New York State Comptroller's Office, Senate Majority Leader Pedro Espada, Jr., Senate Minority Leader Dean G. Skelos, Assembly Speaker Sheldon Silver, Assembly Majority Leader Ron Canestrari, Assembly Minority Leader Brian Kolb.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 22, 2010

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Town Supervisor to execute on behalf of the Town the Memorandum of Agreement between the Town and the Hull House Foundation, as presented, in order to provide financial assistance for the support of a historical edifice located within the Town, in the amount of \$3,000 as appropriated in account code A7989.449 in the adopted budget for the 2010 fiscal year of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 22, 2010

Memorandum of Agreement

_____ This Memorandum of Agreement (“Agreement”) is entered into between the Town of Lancaster, New York (“Town”) and the Hull House Foundation, 5976 Genesee Street, Lancaster, New York 14086 (“foundation”).

WHEREAS, the Foundation is a 501 (c) (3)tax exempt organization chartered by the Board of Regents of the State of New York, and is developing the Hull House Family Home & Farmstead (“Hull House”), located at 5976 Genesee Street, Lancaster, New York, as an educational interpretive center to present the history, culture and architecture of Western New York in the early 19th century; and

WHEREAS, the Hull House is located within Town boundaries, and the Town wishes to support the efforts of the Foundation to restore the Hull House for that purpose; and

WHEREAS, the Town hereby declares that it is in the public interest to so support the restoration of the Hull House, and that such restoration is a valid public purpose; and

WHEREAS, the Town’s support of the Hull House is consistent with law, including the authority provided by Section 57.07 of the Arts and Cultural Affairs Law for municipalities such as the Town to provide financial assistance for the support of historic edifices located within municipal boundaries under an agreement with an historical association such as the Foundation to do so;

NOW, THEREFORE, THE TOWN AND THE FOUNDATION HEREBY AGREE AS FOLLOWS:

1.

The Town shall render payment to the Foundation in the amount of \$3000 no later than June 30, 2010 for the support of the restoration of the Hull House, provided that prior to that date the Town Board approves by resolution the appropriation of monies for such purpose.
2.

The Foundation agrees that the Town’s payment shall be used for the sole purpose of supporting the restoration of the Hull House, and that such use shall be consistent with the not-for-profit corporation law, the Town’s laws, rules and regulations, and any and all other applicable laws, rules and regulations. The Foundation shall provide to the Town, upon written request, an accounting of the use of the Town’s support payment if the Foundation does not comply with the conditions set forth in this paragraph.

For the Town of Lancaster	For the Foundation
By: _____	By: _____
Title: _____	Title: _____
Dated: _____	Dated:_____

Subscribed and sworn to before me this	Subscribed and sworn to before me this
____ day of _____, 2010.	____ day of _____, 2010.

Notary Public

Notary Public

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, WIT:

WHEREAS, due to a clerical error, the following amended Schedule of Salaries be and hereby is approved for the members of the Cayuga Club for the year 2010:

<u>TO BE PAID BI-WEEKLY</u>			
	Police Officers on step (2)		
	Hendel/Zaffram - appointed 8/1/09		
	for period 1/1/10 to 1/31/10 starting rate		52,725.00
	for period 2/1/10 to 7/31/10 (85%) of full rate		55,555.00
	for period 8/1/10 to 12/31/10 (90%) of full rate		58,823.00

and,

BE IT FURTHER

RESOLVED, that all other types of compensation, where applicable, be paid according to the terms of an agreement between the Town of Lancaster and the Cayuga Club.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 22, 2010

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, the Highway Superintendent of the Town of Lancaster, by letter dated February 11, 2010, has requested the appointment of a clerk, part-time, temporary to serve as a records management technician to inventory records, determine the legal retention period of records, and re-organize remaining records, and

WHEREAS, this position and funding for same are in the Highway Department’s current budget.

NOW, THEREFORE, BE IT

_____ **RESOLVED**, that Elaine Dean of Buffalo, New York be and is hereby appointed to the position of clerk, part time, temporary in the Town of Lancaster Highway Department at an hourly rate of \$10.00, effective February 23, 2010 with no benefits. This appointment will terminate June 30, 2010.

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 22, 2010

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, the Chief of Police of the Town of Lancaster, by letter dated February 17, 2010, has requested authorization to send Captain Timothy Murphy, Detective Donald Lynch, and Detective Thomas Bulera to the annual Middle Atlantic-Great Lakes-Organized Crime Law Enforcement Network (MAGLOCLN) Conference to be held in Columbus, Ohio from March 29, 2010 through April 1, 2010.

NOW, THEREFORE, BE IT

RESOLVED, that Captain Timothy Murphy, Detective Donald Lynch, and Detective Thomas Bulera of the Town of Lancaster Police Department be and are hereby authorized to attend the Middle Atlantic-Great Lakes-Organized Crime Law Enforcement Network (MAGLOCLN) in Columbus, Ohio from March 29, 2010 through April 1, 2010, and

BE IT FURTHER,

RESOLVED, that total expense reimbursement be and is hereby authorized in an amount not to exceed \$2,500.00 to be paid for from the Asset Forfeiture Account, and

BE IT FURTHER,

RESOLVED, that said reimbursement will be made only upon submission of proper documentation and substantiation of expenses, including receipts, to the Accounting Department of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 22, 2010

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA , WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Chief of Police of the Town of Lancaster, by letter dated February 17, 2010, has recommended the appointment of Eric Major to the position of Police Officer to fill the vacancy created by the recent resignation of one of our Police Officers, and

WHEREAS, Eric Major is eligible for appointment as a result of his placement on the applicable Erie County Department of Personnel Eligible List, and

WHEREAS, Eric Major has already completed the Central Police Services Basic Police Officer’s Training Academy and will be able to perform his duties after a short orientation program within the Lancaster Police Department,

NOW, THEREFORE, BE IT

RESOLVED, that Eric Major be and is hereby appointed to the position of Police Officer in the Town of Lancaster Police Department effective March 10, 2010, subject to the applicable provisions of the current Cayuga Club Police Benevolent Association Collective Bargaining Agreement, and

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 22, 2010

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AQUINO, TO WIT:

WHEREAS, Daniel J. Amatura, Highway Superintendent of the Town of Lancaster, by letter dated January 12, 2010, has requested authorization to attend the New York State Association of Towns Annual Meeting and Training School held in New York City, New York from February 14, 2010 through February 17, 2010, in order to obtain information regarding Geographic Information Systems from representatives of the New York State Archives & Records Administration.

NOW, THEREFORE, BE IT

RESOLVED, that Daniel J. Amatura, Highway Superintendent of the Town of Lancaster is hereby authorized to attend the New York State Association of Towns Annual Meeting and Training School which was held in New York City, New York from February 14, 2010 through February 17, 2010.

BE IT FURTHER,

RESOLVED, that the total expense reimbursement for the attendance at the above-mentioned annual meeting and training school is hereby authorized in an amount not exceed \$1,400.00.

BE IT FURTHER,

RESOLVED, that said reimbursement will be made only upon submission of proper documentation and substantiation of expenses, including receipts, to the Accounting Department of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 22, 2010

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid from
their respective accounts as per abstract to be filed in the Office of the Town Clerk by the Director
of Administration and Finance, to wit:

Claim No. 12320 to Claim No. 12606 Inclusive

Total amount hereby authorized to be paid: \$1,165,945.42

The question of the foregoing resolution was duly put to a vote on roll call which
resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 22, 2010

File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town of Lancaster are waived for this permit.
(CSW) = Conditional sidewalk waiver
(V/L) = Village of Lancaster

PREVIOUSLY TABLED PERMITS:

16415	Grau Builders	11 Logan Ln	Er. Dwlg.-Sin.
16993	Grau Builders	24 Logan Ln	Er. Dwlg.-Sin.

NEW PERMITS:

17656	SW	Palka, Michael	1052 Townline Rd	Er. Dwlg.-Sin.
17657		Randaccio Builders	3 Parliament Ln	Er. Dwlg.-Sin.
17658		Marrano/Marc Equity	3 St Davids Rd	Er. Dwlg.-Sin.
17659		Marrano/Marc Equity	13 Sterling Pl	Er. Dwlg.-Sin.
17660		Marrano/Marc Equity	65 Avian Way	Er. Dwlg.-Sin.
17661		Marrano/Marc Equity	63 Avian Way	Er. Dwlg.-Sin.
17662		Marrano/Marc Equity	22 Carlisle St	Er. Dwlg.-Sin.
17663		Marrano/Marc Equity	48 Hanover St	Er. Townhouses
17664		Marrano/Marc Equity	29 Hanover St	Er. Townhouses
17665		Marrano/Marc Equity	46 Hanover St	Er. Townhouses
17666		Marrano/Marc Equity	31 Hanover St	Er. Townhouses
17667		Marrano/Marc Equity	44 Hanover St	Er. Townhouses
17668		Marrano/Marc Equity	33 Hanover St	Er. Townhouses
17669		Marrano/Marc Equity	42 Hanover St	Er. Townhouses
17670		Marrano/Marc Equity	35 Hanover St	Er. Townhouses
17671		Marrano/Marc Equity	40 Hanover St	Er. Townhouses
17672		Marrano/Marc Equity	38 Hanover St	Er. Townhouses
17673		Grau Builders	26 Logan Ln	Er. Dwlg.-Sin.
17674		Four Seasons Contracting	45 Fairfield Ave	Re-Roof (V/L)
17675		Essex Homes Inc	14 Tranquility Trl	Er. Dwlg.-Sin.
17676	SW	Forbes Homes	51 Pavement Rd	Er. Dwlg.-Sin.
17677		Oneida Fence Inc	22 Americo Ct	Er. Fence
17678		Alliance Homes	13 Tranquility Trl	Er. Dwlg.-Sin.
17679		Alliance Homes	658 Pleasant View Dr	Er. Dwlg.-Sin.
17680		Alliance Homes	5 Parliament Ln	Er. Dwlg.-Sin.
17681		Holiday Remodeling	21 Plumb Creek Trl	Er. Res. Add.
17682		Complete Heat	30 Waltham Ave	Er. Fireplace (V/L)
17683		Hall, Jeremy	19 Lombardy St	Er. Res. Alt. (V/L)
17684		Marrano/Marc Equity	10 Carlisle St	Er. Dwlg.-Sin.
17685		Marrano/Marc Equity	57 Avian Way	Er. Dwlg.-Sin.
17686		Marrano/Marc Equity	7 Sterling Pl	Er. Dwlg.-Sin.
17687		Danelski, Ann	6 Meadow Lea Dr	Inst. Generator
17688		Ulrich Sign Co Inc	5255 Genesee St	Er. Sign-Wall
17689		Village Of Lancaster	0 W Drullard Ave	Er. Comm./Alt. (V/L)

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 22, 2010

COMMUNICATIONS & REPORTS

60. NYS DEC to Town Attorney -
Notification of lead agency designation regarding rezone petition for Professional Emergency Services, 5019 Transit Road; comments noted. DISPOSITION = Received & Filed
61. Chief of Police to Supervisor -
Request authorization to send certain police officers to Traffic Crash Reconstruction Course at ECC North Campus, February 1 - 12, 2010. DISPOSITION = Resolution 2/1/10
62. Town Clerk to Town Board -
Monthly report for January 2010. DISPOSITION = Received & Filed
63. Erie County Division of Planning to Town Board -
Notification of lead agency designation regarding rezone petition for Professional Emergency Services, 5019 Transit Road; comments noted. DISPOSITION = Received & Filed
64. Planning Board Chairman to Town Clerk -
Transmittal of certificate of completion of tutorial training for Planning Board Member Kristin Keane. DISPOSITION = Received & Filed
65. Time Warner Cable to Supervisor -
Notification of cable television developments within the town. DISPOSITION = Received & Filed
66. Village of Lancaster to Town Board -
Minutes of meeting held January 25, 2010. DISPOSITION = Received & Filed
67. General Crew Chief to Supervisor -
Request appointment of a seasonal lifeguard for the fall/winter season.
DISPOSITION = Resolution 2/22/10
68. NYS DEC to Bella Vista Group -
Letter regarding concerns of the DEC for the proposed Transit Boulevard Apartments.
DISPOSITION = Planning Committee
69. General Crew Chief to Town Board -
Request awarding of bid for the 2010 Spring Tree Planting Program to Schichtel's Nursery, Inc., the apparent low bidder. DISPOSITION = Resolution 2/22/10
70. Planning Board Chairman to Planning Board, Town Board, Engineering Consultant, Town Attorney, Highway Superintendent, Building Inspector -
Draft copy of minutes of meeting held February 3, 2010. DISPOSITION = Received & Filed
71. Don & Joan Schaffer to Supervisor -
Letter of appreciation to emergency/medical personnel for service which was provided to them. DISPOSITION = Received & Filed
72. Highway Superintendent to Supervisor -
Request for resolution to appoint Ms. Elaine Dean as clerk/part-time/temporary for records management inventory of Highway Department records. DISPOSITION = Resolution 2/22/10
73. NYS DEC to Bella Vista Group -
Clarification of letter dated February 4, 2010 regarding concerns of the DEC for the proposed Transit Boulevard Apartments, Transit Road north of William Street. DISPOSITION = Received & Filed
74. NYS Energy Research and Development Authority to Town Board -
Transmittal of requested copy of the West Valley Decommissioning Final Environmental Impact Statement. DISPOSITION = Received & Filed
75. Town of Cheektowaga to Town Clerk -
Notice of Solicitation of Lead Agency Status regarding proposed Panera Bread, 4910 - 4940 Transit Road. DISPOSITION = Received & Filed

76. Chief of Police to Town Supervisor -
Request resolution to authorize attendance of Detectives Murphy, Lynch, & Bulera to Maglocen Conference in Columbus, Ohio, March 29 - April 1, 2010.
DISPOSITION = Resolution 2/22/10
77. Chief of Police to Town Board -
Request appointment of Eric Major to position of Police Officer. DISPOSITION = Resolution 2/22/10
78. Erie County Department of Health to Town Clerk -
Transmittal of proposed revisions to Erie County Sanitary Code, Article IX and notice of public hearing regarding the revisions to be held March 18, 2010 at 3:00 PM in Buffalo.
DISPOSITION = Received & Filed

ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER STEMPNIAK, SECONDED BY COUNCIL MEMBER RUFFINO AND CARRIED, the meeting was adjourned at 8:45 P.M. in memory of Paul Pijanowski and Margaret (Marnie) Rozler.

Signed _____
Johanna M. Coleman, Town Clerk